

SOUTHERN DISTRICT OF MISSISSIPPI
FILED

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI**

JUL - 6 2005

**CHARLENE J. KENNEDY, CLERK
BY  DEPUTY**

**IN RE:
DALESON ENTERPRISE, LLC
D/B/A JONES COUNTY REST HOME**

**CHAPTER 11
CASE NO. 05-50095**

**ORDER FOR AUTHORITY TO
PURCHASE REAL PROPERTY**

THIS CAUSE is before the Court upon Daleson Enterprisc, LLC d/b/a Jones County Rest Home's (the "Debtor") Motion for Authority to Purchase Real Property (the "Motion"), and the Court having been advised in the premises, is of the opinion that the Motion is well-taken and should be sustained. The Court finds, orders and adjudicates as follows, to-wit:

1. Notice and a hearing were adequate and appropriate under the circumstances.
2. The Court has jurisdiction of the subject matter herein and the parties hereto. This is a core proceeding.
3. On January 10, 2005, the Debtor filed with this Court in the Gulfport Divisional Office of the Southern District of Mississippi a Voluntary Petition for relief under Chapter 11 of Title 11 of the United States Bankruptcy Code. On January 21, 2005, the Debtor filed its Motion for Change of Venue, and on April 12, 2005, the Court granted the Motion and the case was thereby transferred to the Jackson Divisional Office.
4. This Court has jurisdiction of the subject matter herein and the parties hereto pursuant to 28 U.S.C. Sections 157 and 1334; 11 U.S.C. Sections 105, 363, 541, 1107, related statutes, related rules and various orders of reference. This is a core proceeding.
5. The Debtor currently occupies real property for the purpose of operating a nursing

home that it leases from Jones County, Mississippi. The Debtor's real estate lease expires in late 2005 and, as a result, the Debtor needs to acquire additional property upon which to continue its nursing home operations.

6. The Debtor has secured a parcel of property which is suitable to the Debtor upon which to locate its nursing home operations.

7. The land is a 20.9 acre plot that is located on Hwy. 29 South in Ellisville, Mississippi, plus an additional parcel located nearby of approximately one-half acre. The seller is Neill Development Company/Robert Neill (the "Seller").

8. The total purchase price for the real property to be acquired is Two Hundred Sixty Thousand Eight Hundred Dollars (\$260,800.00). The closing is to occur within thirty days of state approval of the purchase and the operation of the nursing home. The Debtor will submit a \$5,000.00 earnest money deposit to secure the contract.

9. The Debtor must have land and building in which to operate. There is no other suitable building in, or upon, which the Debtor could conduct its nursing home operations.

10. The real property sought to be purchased is suitable for the Debtor's needs. The purchase price for the real property is fair, reasonable and appropriate under the circumstances.

11. The Seller is a good-faith seller.

ORDERED, ADJUDGED AND DECREED, that the Motion for Authority to Purchase Real Property is granted and sustained, and the Debtor is authorized to purchase the real property described in paragraph 7 under the terms and conditions set forth herein. It is, further,

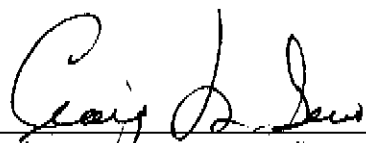
ORDERED, ADJUDGED AND DECREED, that the Debtor is authorized to execute any and all documents necessary to consummate the transaction herein. It is, further,

ORDERED, ADJUDGED AND DECREED, that the Motion for Authority to Purchase Real Property is in the best interest of not only the Debtor, but all creditors and parties-in-interest in this Chapter 11 proceeding.

SO ORDERED this the 6th day of July, 2005.


EDWARD ELLINGTON
UNITED STATES BANKRUPTCY JUDGE

Submitted by:


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